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14
15 IN THE UNITED STATES DISTRICT COURT
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA
17 SAN JOSE DIVISION

18 BEVERLY THORP,

19 Plaintiffs,

20 v.

21 JUDGE ROBERT ATACK, et al.,

22 Defendants.

23 Case No. C08-01449 HRL

24 DECLINATION TO
25 PROCEED BEFORE A
MAGISTRATE JUDGE AND
REQUEST FOR
REASSIGNMENT TO A
UNITED STATES DISTRICT
JUDGE

26 The undersigned party hereby declines to consent to the assignment of this case to a
27 United States Magistrate Judge for trial and disposition and hereby requests the reassignment of
28 this case to a United States District Judge.

29 Dated: April 3, 2008

Respectfully submitted,

30 EDMUND G. BROWN JR.
31 Attorney General of the State of California

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33 TROY B. OVERTON
34 Deputy Attorney General

35 Attorneys for Defendant JUDGE ROBERT ATACK
36 (erroneously named as JUDGE ROBERT ATTACK)

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **THORP, Beverly v. Judge Robert Attack**

No.: **C 08-01449-HRL**

I declare:

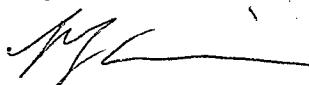
I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On April 3, 2008, I served the attached **Declination to Proceed Before A Magistrate Judge and Request for Reassignment to A United States District Judge** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Beverly Thorp
c/o Box 2070
Sunnyvale, CA 94087

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on April 3, 2008, at San Francisco, California.

Rosalinda F. Asuncion
Declarant


Signature